

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

BREAKING GLASS PICTURES,)	CASE NOS. 1:13 CV 805
)	
Plaintiff,)	JUDGE LESLEY WELLS
)	
v.)	MAGISTRATE JUDGE
)	WILLIAM H. BAUGHMAN, JR.
DOES 1-99,)	
)	
Defendants.)	<u>REPORT & RECOMMENDATION</u>

Before me by referral¹ in two cases claiming infringement of copyright on a motion picture are motions to quash a subpoena filed by a non-party.²

A review of the docket discloses that these cases are part of a group of eight identical cases filed on the same day by the same plaintiff.³ The cases are now assigned to five different district judges, with referrals to four different magistrate judges.⁴ Since the filing of these matters on April 11, 2013, two cases have already been dismissed without prejudice.⁵ Moreover, the dismissal followed the denial of motions to take discovery prior

¹ ECF # 8 in both Case No. 1:13-CV-803 (“803”) and Case No. 1:13-CV-805 (“805”).

² ECF # 5 in both 803 and 805.

³ Case Nos. 1:13-CV-800-808.

⁴ 800 – Judge Wells/ Magistrate Judge White; 801 – Judge Oliver/ Magistrate Judge Vecchiarelli; 802 – Judge Nugent/Magistrate Judge McHargh; 803 – Judge Wells/Magistrate Judge Baughman; 804 – Judge Wells/Magistrate Judge White; 805 – Judge Wells/ Magistrate Judge Baughman; 806 – Judge Gwin/Magistrate Judge Baughman; 807 – Judge Gwin/ Magistrate Judge McHargh; 808 – Judge Boyko/Magistrate Judge McHargh.

⁵ Cases 806 and 807 dismissed by Judge Gwin on July 8, 2013.

to the Rule 26 conference – an identical motion to that which is actively pending in all other cases.

Local Civil Rule 3.1(b)(3) provides that “[a] case may be reassigned as related to an earlier assigned case with the concurrence of both the transferee and the transferor District Judges, with or without a motion by counsel.” Plainly, the issues of economy of judicial resources and uniformity of decisions in identical cases is well served by consolidating related cases with a single district judge.

Here, there has already been a dismissal of cases by one district judge and rulings by that same judge on motions that are presently before other judges. I recommend that the eight related cases here be consolidated as related cases and then transferred to the docket of a single district judge with the earliest filed case in this group under the provisions of Local Rule 3.1(b)(3) as early as possible to promote judicial economy of resources and to avoid inconsistent rulings on identical matters.

Dated: August 16, 2013

s/ William H. Baughman, Jr.

United States Magistrate Judge

Objections

Any objections to this Report and Recommendation must be filed with the Clerk of Courts within fourteen (14) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the District Court’s order.⁶

⁶ See, *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). See also, *Thomas v. Arn*, 474 U.S. 140 (1985), *reh’g denied*, 474 U.S. 1111 (1986).